

REMARKS

Upon entry of this amendment, claims 17 and 18 are pending. Claims 1-16 have been cancelled without prejudice or disclaimer. Claim 17 has been amended to be an independent claim. New claim 18 has been added. The amendment to claim 17 is supported by the claim as originally presented. New claim 18 is supported by disclosure at page 11, lines 7-16; at page 12, lines 25-26; and at page 15, lines 10-19 of the specification. No new matter has been added.

35 U.S.C. § 112, first paragraph

The Examiner has rejected claim 16 under 35 U.S.C. § 112, first paragraph, for lack of enablement. According to the Examiner, the specification is enabling for an antibody that specifically binds to a neuron-restrictive silencer factor (NRSF) comprising SEQ ID NO: 40 or SEQ ID NO: 50. (*See* OA at page 2). However, the Examiner contends that the specification does not provide enablement for an antibody that binds to any factor that functions to repress a neuronal phenotype during development. Claim 16 has been cancelled herein, without prejudice or disclaimer. Therefore, this rejection is moot and should be withdrawn.

Moreover, Applicants contend that to new claim 18 is fully enabled by the as-filed specification. New claim 18 is directed to an antibody that specifically binds to a protein having the amino acid sequence of SEQ ID NO: 40, to a protein having the amino acid sequence of SEQ ID NO: 50 or to functional fragments thereof. Functional fragments are defined as an NRSF protein which is at least 250 amino acids in length; comprises more than one zinc finger motif; is capable of binding to a neuron restrictive silencer element (NRSE); and is capable of suppressing or silencing the expression of a neuronal gene. Therefore, Applicants contend that the functional fragments recited in new claim 18 can be identified by objective, quantifiable data.

Thus, Applicants assert that new claim 18 is fully enabled by the disclosure of the as-filed specification. Therefore, this rejection does not apply to this new claim.

Claim Objection

The Examiner has objected to claim 17 as being dependent upon claim 16. However, the Examiner indicated that claim 17 would be allowable if written in independent form. Accordingly, claim 17 has been rewritten herein as an independent claim. Therefore, Applicants believe that claim 17 should be allowed.

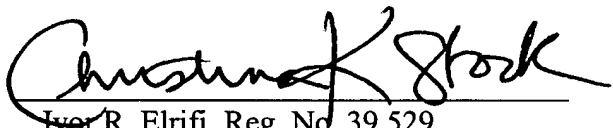
CONCLUSION

On the basis of the foregoing amendments and remarks, Applicants submit that the pending claims are in condition for allowance. If there are any questions regarding these amendments and remarks, the Examiner is encouraged to contact the undersigned at the telephone number provided below.

The Commissioner is hereby authorized to charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 17810-502 CIP CON.

Respectfully submitted,

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